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Proposed Counsel to the Official Committee of Unsecured Creditors

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

CELSIUS NETWORK LLC, *et al.*,¹

Debtors.

)
) Chapter 11
)

) Case No. 22-10964 (MG)
)

) (Jointly Administered)
)

**CERTIFICATE OF NO OBJECTION UNDER 28 U.S.C. § 1746
REGARDING THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS'
MOTION FOR ENTRY OF AN ORDER CLARIFYING THE REQUIREMENT TO
PROVIDE ACCESS TO CONFIDENTIAL OR PRIVILEGED INFORMATION AND
APPROVING A PROTOCOL REGARDING CREDITOR REQUESTS FOR
INFORMATION**

¹ The Debtors in these chapter 11 cases and the last four digits of their federal tax identification number are as follows: Celsius Network LLC (2148); Celsius KeyFi LLC (4414); Celsius Lending LLC (8417); Celsius Mining LLC (1387); Celsius Network Inc. (1219); Celsius Network Limited (8554); Celsius Networks Lending LLC (3390); and Celsius US Holding LLC (7956). The location of Debtor Celsius Network LLC's principal place of business and the Debtors' service address in these chapter 11 cases is 121 River Street, PH05, Hoboken, New Jersey 07030.

Pursuant to 28 U.S.C. § 1746 and Rule 9075-2 of the Local Bankruptcy Rules for the Southern District of New York (the “**Local Rules**”), and in accordance with this Court’s case management procedures set forth in the *Final Order (I) Establishing Certain Notice, Case Management, and Administrative Procedures and (II) Granting Related Relief*, entered on August 17, 2022 [Docket No. 528] (the “**Case Management Order**”), the undersigned hereby certifies as follows:

1. On July 13, 2022 Celsius Network LLC and its affiliated debtors and debtors in possession (collectively, the “**Debtors**”) commenced with this Court a voluntary case under chapter 11 of the U.S. Code. On August 11, 2022 the Official Committee of Unsecured Creditors (the “**Committee**”) filed *The Official Committee of Unsecured Creditors’ Motion for Entry of an Order Clarifying the Requirement to Provide Access to Confidential or Privileged Information and Approving a Protocol Regarding Creditor Requests for Information* [Docket No. 432] (the “**Motion**”).

2. The Committee served the Motion and proposed order approving the Motion (the “**Proposed Order**”) as reflected in the affidavit of service filed at Docket No. 505.

3. Paragraph 31 of the Case Management Order provides “[i]f no Objection to a Request for Relief is filed after the Request for Relief is filed and served in a timely fashion, the movant may email a proposed order granting the Request for Relief to the Court’s chambers . . . along with a certificate of no objection . . . stating that no Objection has been filed or served on the movant. By filing such certification, counsel for the movant represents to the Court that the movant is unaware of any Objection to the Request for Relief and that counsel has reviewed the Court’s docket and no Objection appears thereon.”

4. In accordance with the Case Management Order, responses to the Motion were

due no later than August 25, 2022 at 4:00 p.m. (prevailing Eastern Time) (the “**Objection Deadline**”). The Objection Deadline was extended solely for the U.S. Trustee to September 9, 2022 at 4:00 p.m. (prevailing Eastern Time) by agreement amongst the parties.

5. Local Rule 9075-2 provides that a motion or application may be granted without a hearing if (a) no objections or responsive pleadings have been filed or served before 48 hours after the relevant objection deadline, and (b) the attorney for the entity that filed the pleading complies with the relevant procedural and notice requirements.

6. As of the filing of this certificate, to the best of my knowledge, no responsive pleadings to the Motion have been (a) filed with the Court on the docket of the above-captioned chapter 11 cases or (b) served on the Committee or their proposed counsel.

7. Accordingly, the Debtors respectfully request entry of the Revised Proposed Order attached hereto as **Exhibit A** (the “**Revised Proposed Order**”), be entered in accordance with the Case Management Order and Local Rule 9075-2. A redline comparison of the Proposed Order and the Revised Proposed Order is attached hereto as **Exhibit B**. The modifications reflected in the Revised Proposed Order incorporate certain revisions requested by the U.S. Trustee, as well as certain conforming and non-substantial changes.

8. I hereby declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

[Remainder of page intentionally left blank]

Dated: September 12, 2022
New York, New York

/s/ Gregory F. Pesce

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